

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL INSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
	:	22-CV-7191 (VSB)
-against-	:	
	:	<u>ORDER</u>
S.E.I. SUN EXPRESS INTERNATIONAL	:	
LTD., et al.,	:	
	:	
Defendants.	:	
	:	
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VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action against Defendants S.E.I. Sun Express International Ltd. (“S.E.I.”), Sun Express Int’l, Inc. (“Sun Express”), and Cargolux Airlines International S.A. (“Cargolux”) on August 23, 2022. (Doc. 1.) Plaintiff filed an affidavit of service for Cargolux on August 31, 2022, (Doc. 10), and affidavits of service for S.E.I. and Sun Express on September 16, 2022, (Docs. 14, 15). The deadline for Cargolux to respond to Plaintiff’s complaint was September 15, 2022, (*see* Doc. 10), and the deadline for S.E.I. and Sun Express to respond to Plaintiff’s complaint was October 5, 2022, (*see* Docs. 14, 15). On September 12, 2022, I granted Cargolux an extension of time to respond. (Doc. 13.) On September 23, 2022, Cargolux timely filed an answer and asserted a crossclaim against S.E.I. and Sun Express. (Doc. 17.) On October 5, 2022, Sun Express timely filed an answer and asserted a crossclaim against Cargolux. (Doc. 20.) The deadline for S.E.I. to respond to Cargolux’s crossclaims was October 14, 2022. *See* Fed. R. Civ. P. 12(a)(1)(B). To date, S.E.I. not appeared or responded to Plaintiff’s complaint or Cargolux’s crossclaim. Plaintiff, however, has taken no action to prosecute this case against S.E.I. Accordingly, if Plaintiff intends to seek a default judgment against S.E.I., it is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil

Cases by no later than October 25, 2022. If Plaintiff fails to do so or otherwise demonstrate that it intends to prosecute this litigation against S.E.I., I may dismiss Plaintiff's claim against S.E.I., and Cargolux's crossclaim against S.E.I., for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: October 18, 2022
 New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized "V" and "B".

VERNON S. BRODERICK
United States District Judge